LANCASTER, NEW YORK DECEMBER 2, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 2nd day of December 1985, at 8:00 P.M. and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR

RONALD A. CZAPLA, COUNCILMAN

ROBERT H. GIZA, COUNCILMAN

DONALD E. KWAK, COUNCILMAN

JOHN T. MILLER, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

RICHARD J. SHERWOOD , TOWN ATTORNEY

NICHOLAS LO CICERO, DEP. TOWN ATTORNEY

ROBERT LABENSKI, TOWN ENGINEER

THOMAS E. FOWLER, CHIEF OF POLICE

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of Larry Ensminger and C. Gary Becraft.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioners, the Erie County Division of Planning, and the Town Clerk of the Town of Cheektowaga, notifying these individuals of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows: "No Recommendation."

The Town Clerk presented a letter from the Town Consultant to the Planning Board recommending a favorable review of this proposed rezone.

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

PROPONENTS

OPPENENTS

None

None

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:20 P.M.

The Supervisor informed those present that the Town Board would reserve decision on this matter until completion of the required State Environmental Quality Review.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board, held on November 18, 1985 as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 2, 1985

File: R-MIN

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

WHEREAS, the Town of Lancaster and Krehbiel Associates, Inc., entered into an Agreement dated September 19, 1983, to provide for detailed observation of the sewer rehabilitation project No. C-36-390-03 by Krehbiel Associates, Inc., and

WHEREAS, additional services are required beyond the amount provided for in the contract due to project delays occasioned by conditions unforeseen by the Contractor, and

WHEREAS, the Town Board of the Town of Lancaster deems it necessary to provide for additional detailed observations for the balance of the construction project,

NOW, THEREFORE, BE IT

RESOLVED, that Section 6 of the original agreement between the Town and Krehbiel Associates, be amended as follows:

"Section 6 - Payments

2. C. The payment for Detailed Observation during construction shall be increased by an additional \$49,000.00.

In the event that additional services are required beyond this amount, they will be provided with the written permission of the Town and will be addressed by a formal amendment to this Agreement."

and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be authorized to execute the amended agreement providing for Section 6 as recited in the amended section.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the Contract between the Town of Lancaster and the Cayuga Club of the Town Police Department has been settled by binding arbitration, and

WHEREAS, the Contract does not cover the Captains or the Chief of Police, since they are not members of the bargaining unit, and

WHEREAS, the Town Board of the Town of Lancaster, after review and consideration, deems it in the public interest to extend the same benefits accorded members of the bargaining unit under the Contract, to the Captains and the Chief of Police;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby extends the following benefits to the Captains and Chief of Police as these benefits are provided in the contract arrived at through arbitration:

- 1. Uniform Allowance per Sec. 4.01
- Sec. 4.02 benefits (to Captains) 2.
- 3. Sec. 6.04 benefit
- 4. Sec. 6.09
- 5.
- Sec. 9.02 Sec. 10.03 Sec. 11.01 7.
- 8. Sec. 11.02 or equivalent
- 9. Sec. 11.03
- 10. Sec. 11.04
- Sec. 12.01 11.
- Sec. 15.02 12.

The question of the adoption was duly put to a vote on roll call, which resulted as follows:

> COUNCILMAN CZAPLA VOTED YES COUNCILMAN GIZA **VOTED YES** COUNCILMAN KWAK **VOTED YES** COUNCILMAN MILLER VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Legislature of the State of New York has provided through Chapter 665 of the Laws of 1984 for an Early Retirement Incentive Program for members of the New York State Employees' Retirement System, and

WHEREAS, the Town Board of the Town of Lancaster has thoroughly reviewed and duly considered all aspects of the election of such an Early Retirement Incentive Program for eligible town employees who are members of the New York State Employees' Retirement System, and

WHEREAS, the Town Board, to elect such a program for its eligible employees, must act by adopting a Local Law before December 31, 1985, and

WHEREAS, the Town Board, after due consideration of the savings to the Town of Lancaster, deems it in the public interest to adopt such a local law electing the Early Retirement Incentive Program for its eligible employees, said local law to be known as Local Law No. 3 of the Year 1985, entitled "Early Retirement Incentive Program, which reads as follows:

EARLY RETIREMENT INCENTIVE PROGRAM

PROPOSED

LOCAL LAW NO. 3

1985

A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY CHAPTER 665, LAWS OF 1984, FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF LANCASTER, NEW YORK.

- §1.1 Legislative Intent
- §1.2 Commencement Date
- §1.3 Open Period
- \$1.4 Funding of Benefits
- §1.5 Effective Date

Be it enacted by the Town Board of the Town of Lancaster, New York, as follows:

§1.1 Legislative Intent.

The Town of Lancaster hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 665, Laws of 1984.

§1.2 Commencement Date.

The Commencement date of the retirement incentive program shall be April 1, 1986.

§1.3 Open Period.

The open period, udring which employees may retire and receive the additional retirements shall be ninety (90) days in length.

§1.4 Funding of Benefits.

The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State Employees' Retirement System, and it shall be paid by the Town of Lancaster for each employee who receives the retirement benefits payable under this local law.

§1.5 Effective Date.

This Act shall take effect immediately.

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. That pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the Proposed Local Law No. 3 of the Year 1985, entitled, "Early Retirement Incentive Program" will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:30 o'clock P.M., Local Time, on the 16th day of December, 1985, and that Notice of the time and place of such Hearing be published on December 5, 1985, in the Lancaster Bee, a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in form attached hereto and made a part hereof.
- 2. That the Town Clerk is directed to make copies of the proposed Local Law No. 3 of the Year 1985, for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

LEGAL NOTICE PUBLIC HEARING

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of teh Town Board of the Town of Lancaster, adopted on the 2nd day of December, 1985, the said Town Board will hold a Public Hearing on the 16th day of December, 1985, at 8:30 o'clock P.M., Local Time, to hear all interested persons upon the proposed Local Law No. 3 of the Year 1985, entitled "Early Retirement Incentive Program" which is briefly summarized as follows:

"A Local Law to provide an Early Retirement Incentive Program to eligible employees of the Town of Lancaster who are members of the New York State Retirement System."

A complete copy of the proposed Local Law No. 3 of the Year 1985 entitled, "Early Retirement Incentive Program" is available to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY:

ROBERT P. THILL Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, Pine Hill Concrete Mix Corporation, 2255 Bailey Avenue, Buffalo, New York, Lancaster Stone Products Corporation, 5833 Main Street, Buffalo, New York and Buffalo Crushed Stone, Inc., 8615 Wehrle Drive, Williamsville, New York have filed applications with the Town Clerk of the Town of Lancaster, to make excavations within the Town of Lancaster during the Year 1986,

NOW, THEREFORE, BE IT RESOLVED, as follows:

- Section 1 That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Pine Hill Concrete Mix Corporation, 2255 Bailey Avenue, Buffalo, New York, for the purpose of making excavations within the Town of Lancaster during the year 1986 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with securities of 1488 negotiable shares of 1.B.M. Corporation Common Stock herey accepted by the Town Board in lieu of a Surety Bond.
- Section 2 That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Lancaster Stone Products Corporation, 5833 Main Street, Buffalo, New York, for the purpose of making excavations within the Town of Lancaster during the year 1986 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set in the amount of \$50,000.00.
- Section 3 That the Town Clerk of the Town of Lancaster is hereby authorized to issue a permit to Buffalo Crushed Stone Incorporated, 8615 Wehrle Drive, Williamsville, New York, for the purpose of making excavations within the Town of Lancaster during the year 1986 in accordance with the application of the corporation as filed in the Office of the Town Clerk, with bond amount hereby set in the amount of \$50,000.00.

and,

BE IT FURTHER

RESOLVED, that the following surety bonds and/or negotiable securities be and are hereby approved as to form and sufficiency:

Pine Hill Concrete Mix Corporation - Deposit with the Town of Lancaster - 1488 negotiable shares of I.B.M. Corporation Common Stock with a market value on November 22, 1985 of \$139.50 per share; total surety as of November 22, 1985 - \$207,576.00.

The Travelers Indemnity Company and Buffalo Crushed Stone, Incorporated in the amount of \$50,000.00.

The Travelers Indemnity Company and Lancaster Stone Products, Corporation in the amount of \$50,000.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 2, 1985

File: R-PRMT-EX (Pages 1 and 2)

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHCILE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER"

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46, of the Code of the Town of Lancaster, County of Erie, and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 16th day of December, 1985, at 8:15 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published on or before the 5th day of December, 1985, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

LEGAL NOTICE PUBLIC HEARING TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 2nd day of December, 1985, the said Town Board will hold a Public Hearing on the 16th day of December, 1985, at 8:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated Chapter 46 of the Code of said Town:

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ARTICLE VIII - Stop and Yield Intersections:-

§46-8, Stop Intersections designated is hereby amended by adding thereto:

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STREET DIRECTION STREET TRAFFIC SIGN LOCATION

Central Ave. North/South Countryview Way Eastbound S.W.Corner

ARTICLE X - Parking, Standing and Stopping §46-12, Parking prohibited in designated locations, is amended by adding thereto:

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- 23. Countryview East Subdivision.
 - (a) On north and south sides of Countryview Way for the entire length thereof.
 - (b) On the north and west sides of Pheasant Run Lane from a point 862 feet east of the intersection of Pheasant Run Run Lane with Warner Road, and continuing therefrom to the northerly end of Pheasant Run Lane.
 - (c) On the east side of Pheasant Run Lane from its intersection with Countryview Way and proceeding 72 feet south of said intersection.

§46-13, Standing prohibited in designated locations, is amended by adding thereto:

- 23. Countryview East Subdivision.
 - (a) On north and south sides of Countryview Way for the entire length thereof.

- (b) On the north and west sides of Pheasant Run Lane from a point 862 feet east of the intersection of Pheasant Run Lane with Warner Road and continuing therefrom to the northerly end of Pheasant Run Lane.
- (c) On the east side of Pheasant Run Lane from its intersection with Countryview Way and proceeding 72 feet south of said intersection.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNC LMAN MILLER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

ACCOUNT	ORDER NUMBER	TOTAL AMOUNT
General Fund	No. 9226 to 9278 Incl.	\$ 75,210.51
Part Town Fund	No. 1371 to 1384 Incl.	\$ 3,388.46
Highway Fund	No. 22 to 38 Incl.	20,859.99
Special District Fund	No. 867 to 868 Incl.	\$ 1,165.50
Trust & Agency Fund	No. 1081 to 1092 Incl.	\$ 32,303.28
Community Deventent Fund	No. 1238 to 1240 Incl.	\$ 26,059.47
and,		

RESOLVED, that the claims of Mark Federowicz Concrete Inc. for \$9,222.12 and \$12,258.41, be and are hereby approved and the Supervisor be and is hereby ordered to submit these claims for payment from Community Development Project No. 439311, Sidewalks on Glendale Dr. and Parkdale Dr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 2, 1985

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

NO.	NAME	ADDRESS	STRUCTURE
248	Alfred Flejtuck	9 Biscayne Dr.	ER. FR. SHED
249	Pat Eddy Const.	208 Penora St.	ER. FR. SIN. DWLG
250	Anne Bohn	5166 William St.	ER. FR. PVT. GARAGE, SHED, CHICKEN COOP
251	Computer Systems	4891 Transit Rd.	ER. SIGN
252	Jos. Wanemaker	5290 William St.	ER. STEEL TOWER
253	Wymar Builders, inc.	217 Penora St.	ER. FR. SIN. DWLG
254	Wymar Builders, Inc.	213 Penora St.	ER. FR. SIN. DWLG

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 2, 1985

File: R-BUILDING

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Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York, has requested the Town Board of the Town of Lancaster to accept work completed under Public Improvement Permit No. 81 (Water Line), Permit No. 82 (Pavement and Curbs), and Permit No. 83 (Storm Sewers), for the installation of improvements within Country View East Subdivision, Phase II, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements under the aforesaid Public Improvement Permits and by letter dated November 27, 1985, has recommended approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public improvements within Country View East Subdivision, Phase II be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 81 - Water Line
P.I.P. No. 82 - Payement and curbs
P.I.P. NO. 83 - Storm Sewers

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution: SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Town of Lancaster Police PBA Bargaining Unit was accorded certain pay raises by award through binding arbitration, and

WHEREAS, the Captains in the Department, as well as the Chief of Police, are not members of the bargaining unit, and

WHEREAS, the Town Board deems it in the best interest of the Department, as well as the Town of Lancaster, to provide salary increases to the Captains and Chief of Police at the same percentage of increase that the highest ranking member of the bargaining unit received through the arbitration award,

NOW, THEREFORE, BE IT

RESOLVED, that the Chief of Police, together with the two (2)

Captains, will be accorded a salary increase for the year 1985, which is retroactive to January 1, 1985, in the amount of 12.4% of their 1984 salary.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

- Public Improvement Permit Authorization Country View East Subdivision.
 Phase I (Marrano/Marc Equity).
 The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1986.
- Public Improvement Permit Authorization Country View East Subdivision,
 Phase 11 (Marrano/Marc Equity).
 On August 19, 1985, the Town Board approved Public Improvement Permit
 Nos. 81 (water line), 82 (pavement and curbs), 83 (storm sewer) 84
 (street lighting) and 85 (sidewalks). On December 2, 1985, Public
 Improvement Permit Nos. 81, 82, and 83 were accepted by the Town Board.
- 3. Public Improvement Permit Authorization Heritage Hills Subdivision The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
- 4. Public Improvement Permit Authorization Lancaster Industrial Commerce Center
 The Town Board authorized Issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
- 5. <u>Traffic Study Reconstruction, Genesee Street and Ransom Road</u>
 On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that
 the Final Design Report on this project is complete and available.
- 6. <u>Traffic Study Signal. Bowen Road and William Street</u>
 On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visability restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.
- 7. Traffic Study Speed Reduction, Pavement Road, Broadway North to Walden Avenue On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.
- 8. Traffic Study Speed Reduction, Ransom Road, Broadway North to Genesee Street
 On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

PERSONS ADDRESSING TOWN BOARD:

Daniel Gacek, 534 Aurora Street, spoke to the Town Board again about surface water flooding of his property. Mr. Gacek originally brought this matter to the Town Board's attention at the Town Board meeting of November 18, 1985. Subsequent to this meeting, some Town Board members had occasion to inspect the premises.

After a lengthly discussion, the Town Engineer was directed to prepare a report to the Town Board outlining possible solutions to this drainage problem.

The Town Attorney was directed to prepare for the Town Board a report on the mechanics and feasibility of establishing a Town-wide Drainage District to fund drainage problems such as that of Mr. Gacek.

PERSONS ADDRESSING TOWN BOARD CONT'D:

Gary J. Schroeck, Chief of the Bowmansville V.F.D., spoke to the Town Board about an article in the Lancaster Bee concerning the educational qualifications of Town Fire Inspectors.

Chief Schroeck assured the Town Board that Inspecter Chester Szatkowski from the Bowmansville V.F.D. was fully trained and qualified to make inspections, and presented to the Town Board copies of the training certificates awarded to Fire Inspector Szatkowski.

COMMUNICATIONS:

The Town Board did not consider any communications at this meeting. The Town Clerk was directed to re-present the communications received for consideration at this meeting, at the next meeting scheduled for December 16, 1985.

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:30 P.M. out of respect to:

FRANK KLAIA RUDY KRAMER

Sianed

Robert P. Thill, Town Clerk

MEETINGS TO DATE 26 NO. OF REGULARS 23 NO. OF SPECIALS 3

LANCASTER, NEW YORK DECEMBER 4, 1985

A Special Meeting of the Town Board and the Planning Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 4th day of December 1985, at 7:00 P.M. and there were

PRESENT:

SUPERVISOR KEYSA

COUNCILMAN KWAK

BRIAN FAHEY

TONY FRANJOINE

JOHN GOBER

GEORGE O'NEIL

MILDRED WHITTAKER

DONNA STEMPNIAK

JOHANNA COLEMAN

ABSENT:

COUNCILMAN CZAPLA

COUNCILMAN GIZA

COUNCILMAN MILLER

PURPOSE OF MEETING - A MUNICIPAL REVIEW UNDER SEOR

A joint meeting betweem the Town Board and the Planning Board of the Town of Lancaster was held to discuss the following two matters: The environmental considerations and impact of the proposed rezone petition of Pat and Rosemary Casilio for property located on the south side of Wehrle Drive, east of Transit Road, within the Town of Lancaster and the proposed rezone of property on the east side of Transit Road, south of Como Park Boulevard.

The Supervisor, with Councilman Kwak and the Planning Board members, reviewed the "EAF Environmental Assessment - Part 11, Project impacts and Their Magnitude" and executed said document for each of these projects.

DISCUSSION AS FOLLOWS:

1. <u>South Transit Road Commercial Strip</u> between Como Park Boulevard and William Street to a depth of 300 feet from east of Transit Road.

The Town Board has not committed itself to the rezone, but SEQR will be done now.

SEQR - Transit Road--Commercial Strip.

EAF - Part 11

A - Negative Declaration based on EAF Part 11

2. Multi-Family Complex - Wehrle Drive Casilio Rezone - EAF Part 11

NOTATIONS:

IMPACT ON LAND

- 1. Parched water table seasonally less than three feet.
- 2. Construction on bedrock less than three feet in areas.
- 3. Phase construction.
- 4. Construction, if properly designed on the parched water table and on bedrock less than three feet, could have a small to moderate impact.

IMPACT ON WATER

- 1. Short distance away from designated wetlands to south of property (beyond 100' from boundary).
- 2. Site plan should include retention facility.
- Construction requires State Health Department approval of water system.
- 4. Project will require construction of lateral sewer to connect with Erie County Sewer District No. 4 at Harris Hill or at North Maple Drive.
- 5. Project will require roughly 24,000 29,000 gallons of water daily.

IMPACT ON PLANTS AND ANIMALS

 Grazing area for deer who would shift grazing to woods to the south.,

IMPACT ON VISUAL RESOURCES

1. Create visual impact but not one that is undesirable or unacceptable -- will change area from vacant field to an aesthetically developed area.

IMPACT ON HISTORICAL RESOURCES

1. In close proximity of pre-Revolutionalry War, Seneca Indian Cabin to southeast of property.

IMPACT ON ENERGY

1. Project has 84 family residences but will not require creation of new enegery transmission system.

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

- 1. Character of community will change from open fileds to development of residences.
- Project could see influx of a particular age group; mature adults.
 - A Negative Declaration based on EAF Part 11.

Mildred Whittaker moved to adjourn, John Gober seconded. Meeting was adjourned at 8:00 P.M.

Respectfully submitted

Donna Stempniak, Chairman

Town of Lancaster Planning Board

LANCASTER, NEW YORK DECEMBER 16, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 16th day of December 1985, at 8:00 P.M. and there were

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR

RONALD A. CZAPLA, COUNCILMAN

ROBERT H. GIZA, COUNCILMAN

DONALD E. KWAK, COUNCILMAN

JOHN T. MILLER, COUNCILMAN

ABSENT:

NONE

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

RICHARD J. SHERWOOD , TOWN ATTORNEY

NICHOLAS LO CICERO, DEP. TOWN ATTORNEY

ROBERT LABENSKI, TOWN ENGINEER

THOMAS E. FOWLER, CHIEF OF POLICE

ROBERT L. LANEY, BUILDING INSPECTOR

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon an amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, designated Chapter 46 of the Code of the Town of Lancaster.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

OPPONENTS

None

None

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:25 P.M.

The Town Board, later in this meeting, adopted a resolution amending the Vehicle and Traffic Ordinance of the Town of Lancaster.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:20 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed Local Law No. 3 of the Year 1985, entitled "Early Retirement Incentive Program."

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPONENTS

ADDRESS

Enio Bruscia

3690 Walden Ave., Lancaster, New York

OPPONENTS

ADDRESS

None

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:40 P.M.

The Town Board, later in this meeting, adopted a resolution amending the Vehicle and Traffic Ordinance of the Town of Lancaster.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board, held on December 2, 1985 as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 16, 1985

File: R-MIN

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA, TO WIT:

WHEREAS, a Public Hearing was held on the 16th day of December, 1985 for the purpose of amendment of Chapter 46 of the Vehicle and Traffic Ordinance of the Code of the Town of Lancaster, and persons for and against such amendment have had an opportunity to be heard, and

WHEREAS, a Notice of said Public Hearing was duly published and posted;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

- 1. That Chapter 46, Vehicle and Traffic Ordinance of the Code of the Town of Lancaster, be amended in the form attached hereto and made a part hereof;
- 2. That said amendment be added in the minutes of the meeting of the Town Board of the Town of Lancaster held on the 16th day of December, 1985,
- 3. That a certified copy thereof be published in the Lancaster Bee on December 19, 1985;
- $\underline{4.}$ That a certified copy of this amendment be posted on the Town Bulletin Board,
- 5. That Affidavits of Publication and Posting be filed with the Town Clerk; and
- $\underline{6.}$ That the Town Highway Superintendent take whatever action is necessary to install signs in accordance with the law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES COUNCILMAN GIZA VOTED YES COUNCILMAN KWAK VOTED YES COUNCILMAN MILLER VOTED YES SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 16, 1985

LEGAL NOTICE NOTICE OF ADOPTION OF AMENDMENT TO VEHICLE AND TRAFFIC ORDINANCE OF THE

TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK DESIGNATED CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER

The Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the Town of Lancaster, is hereby amended as follows:

ARTICLE VIII - Stop and Yield Intersections:-

§46-8, Stop Intersections designated is hereby amended by adding thereto:

STREET DIRECTION STREET STOPS LOCATION

Central Ave. North/South Countryview Way Eastbound S.W.Corner

ARTICLE X - Parking, Standing and Stopping §46-12, Parking prohibited in designated locations, is amended by adding thereto:

23. Countryview East Subdivision.

.

- (a) On north and south sides of Countryview Way for the entire length thereof.
- (b) On the north and west sides of Pheasant Run Lane from a point 862 feet east of the intersection of Pheasant Run Run Lane with Warner Road, and continuing therefrom to the northerly end of Pheasant Run Lane.
- (c) On the east side of Pheasant Run Lane from its intersection with Countryview Way and proceeding 72 feet south of said intersection.
- §46-13, Standing prohibited in designated locations, is amended by adding thereto:
- 23. Countryview East Subdivision.

1.00

(a) On north and south sides of Countryview Way for the entire length thereof.

- (b) On the north and west sides of Pheasant Run Lane from a point 862 feet east of the intersection of Pheasant Run Lane with Warner Road and continuing therefrom to the northerly end of Pheasant Run Lane.
- (c) On the east side of Pheasant Run Lane from its intersection with Countryview Way and proceeding 72 feet south of said intersection.

STATE OF NEW YORK:

COUNTY OF ERIE:

TOWN OF LANCASTER:

This is to Certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster, in said County of Erie, have compared the foregoing copy of an Amendment to the Vehicle and Traffic Ordinance of the Code of the Town of Lancaster, with the original thereof, filed in my office at Lancaster, New York, on the 16th day Of December, 1985, and that the same is a true and correct copy of the said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town, this 16th day of December, 1985.

(SEAL)

Town Clerk and Registrar of Vital Statistics

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of local laws, and

WHEREAS, the Legislature of the State of New York has provided through Chapter 665 of the Laws of 1984, for an Early Retirement Incentive Program for members of the New York State Employees' Retirement System, and

WHEREAS, proposed Local Law No. 3 of the Year 1985, entitled
"Early Retirement Incentive Program" provides an early retirement
incentive program to eligible employees of the Town of Lancaster who are
members of the New York State Retirement System, and was introduced to the
Town Board on December 2nd, 1985, by Councilman Miller, and

WHEREAS, a Public Hearing was duly called and held pursuant to law on December 16, 1985, for the purpose of adopting and enacting a local law to be known as Local Law No. 3 of the Year 1985, entitled, "Early Retirement Incentive Program",

NOW, THEREFORE, BE IT

ENACTED, by the Town Board of the Town of Lancaster, as follows:

TOWN OF LANCASTER

EARLY RETIREMENT INCENTIVE PROGRAM

LOCAL LAW NO. 3

1985

A LOCAL LAW ELECTING A RETIREMENT INCENTIVE PROGRAM AS AUTHORIZED BY CHAPTER 665, LAWS OF 1984, FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF LANCASTER, NEW YORK.

- §1.1 Legislative Intent
- §1.2 Commencement Date
- §1.3 Open Period
- §1.4 Funding of Benefits
- §1.5 Effective Date

Be it enacted by the Town Board of the Town of Lancaster, New York, as follows:

§1.1 Legislative Intent.

The Town of Lancaster hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 665, Laws of 1984.

§1.2 Commencement Date.

The Commencement date of the retirement incentive program shall be April 1, 1986.

§1.3 Open Period.

The open period, during which employees may retire and receive the additional retirements shall be ninety (90) days in length.

§1.4 Funding of Benefits.

The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be funded over a five year period. The amount of the annual payment in each of the five years shall be determined by the Actuary of the New York State Employees' Retirement System, and it shall be paid by the Town of Lancaster for each employee who receives the retirement benefits payable under this local law.

§1.5 Effective Date.

This Act shall take effect immediately.

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster shall:

- 1. Immediately post a copy of Local Law No. 3 of the Year 1985 on the Town Bulletin Board;
- 2. Within ten (10) days, publish a certified copy of the Local Law or abstract thereof, describing the same in general terms in the Lancaster Bee, hereby declared the official newspaper for this publication;
- 3. Maintain a file in the Town Clerk's Office on Local Law No. 3 of the Year 1985, with all proofs of publication and posting required for adoption, and
- 4. File certified copies of the Local Law No. 3 of the Year 1985, within five (5) days of adoption as follows:
 - (a) One (1) copy in Town Clerk's Office
 - (b) One (1) Copy with State Comptroller's Office
 - (c) Four (4) Copies with Office of Secretary of State with Original Affidavit for Participating Employers
 - (d) One (1) Copy with New York State Employees' Retirement System with Original Affidavit for Participating Employers attached.

This resolution shall take effect immediately and be the only post publication and filing required for adoption of Local Law No. 3 of the Year 1985.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 16, 1985

LEGAL NOTICE NOTICE OF ADOPTION TOWN OF LANCASTER

PLEASE TAKE NOTICE that there has been adopted by the Town Board of the Town of Lancaster, Erie County, New York, on December 16, 1985, Local Law No. 3 of the Year 1985, entitled, "Early Retirement Incentive Program" which is briefly summarized as follows:

"A Local Law to provide an Early Retirement Incentive
Program to eligible employees of the Town of Lancaster
who are members of the New York State Retirement System."

STATE OF NEW YORK:

COUNTY OF ERIE:

TOWN OF LANCASTER:

This is to Certify that I, ROBERT P. THILL Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in the said County of Erie, have compared the foregoing copy of Local Law No. 3 of the Year 1985 with the original thereof filed in my office at Lancaster, New York, on the 16th day of December, 1985, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town this 16th day of December, 1985.

Town Clerk and Registrar of Vital Statistics

(SEAL)

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER . TO WIT:

WHEREAS, a Public Hearing was held on the 2nd day of December, 1985, on the petition of LARRY ENSMINGER, 220 Hamlin Avenue, East Aurora, New York and C.GARY BECRAFT, NOrthland Drive, Central Square, New York, owners of a parcel of land at 5035 Transit Road, Town of Lancaster, which property is located on the east side of Transit Road, rezoning said property from an RC Residence-Restricted Business District to a C2-General Commercial District, and

WHEREAS, a hearing was held on the recommendation of the Planning Board for the rezone of a larger section on the east side of Transit Road, including the Ensminger property, starting from a point approximately 1,470 feet south of the centerline of Como Park Boulevard, then going south approximately 2,100 feet in length on the east side of Transit Road, with a depth of 300 feet, and

WHEREAS, a Notice of said Public Hearing has been duly published and posted, and

WHEREAS, the Planning Board of the Town of Lancaster has recommended the rezone of the hereinafter described parcel of real property, and

WHEREAS, in accordance with Section 239(m) of the General Municipal Law of the State of New York, the Erie County Department of Planning has reviewed such application for rezone and has no objection with respect thereto,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Zoning Ordinance and Zoning Map of the Town of Lancaster is hereby amended and changed so that the real property hereinafter described is changed from an RC-Residence-Restricted Business District to a C2-General Commercial District.

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York being parts of Lot 11, Section 10, Township 10, Range 6 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the East line of Transit Road twenty-two and fifty hundredths feet (22.50') north of the northwest corner of sublot 6 in Block 11 as shown on Map Cover No. 556 as filed in the Erie County Clerk's Office.

THENCE easterly and parallel to the north line of sublot 6, Block 11, Map Cover 556, three hundred feet (300');

THENCE southerly and parallel to the east line of Transit Road to a point in the south line of lands deeded to John Krupa as recorded in the Erie County Clerk's Office in Liber 2575, Page 114;

THENCE westerly along Krupa's south line by deed aforesaid, three hundred feet (300) to the east line of Transit Road.

THENCE NORTHERLY along the east line of Transit Road to the point of beginning.

- 2. That said Ordinance amendment be added in the minutes of the
 Town Board of the Town of Lancaster held on the 16th day of December, 1985, and
- 3. That a certified copy thereof be published in the Lancaster Bee on or before December 19, 1985;
 - 4. That Affidavits of Publication be filed with the Town Clerk;
- 5. That a certified copy of this resolution be furnished to the Erie County Department of Planning.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA ABSTAINED *

The resolution was thereupon unanimously adopted. December 16, 1985

* Mr. Keysa abstained because, as a private attorney, he represents Amanda Evans, a seller of a small parcel of property within the rezone area.

LEGAL NOTICE

NOTICE OF ADOPTION AMENDMENT TO ZONING ORDINANCE TOWN OF LANCASTER

The Zoning Ordinance of the Town of Lancaster is hereby amended and the Zoning Map of the said Town is hereby changed so that the real property hereinafter described is changed from an RC-Residence Restricted Business District to a C2-General Commercial District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York being parts of Lot 11, Section 10, Township 11, Range 6 and Lot 94 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the east line of Transit Road twenty-two and fifty hundredths feet (22.50') north of the northwest corner of sublot 6 in Block 11 as shown on Map Cover No. 556 as filed in the Erie County Clerk's Office.

THENCE easterly and parallel to the north line of Sublot 6, Block 11, Map Cover 556, three hundred feet (300');

THENCE southerly and parallel to the east line of Transit Road to a point in the south line of lands deeded to John Krupa as recorded in the Erie County Clerk's Office in Liber 2575, Page 114;

THENCE westerly along Krupa's south line by deed aforesaid, three hundred feet (300') to the east line of Transit Road;

THENCE northerly along the east line of Transit Road to the point of beginning.

STATE OF NEW YORK:

COUNTY OF ERIE:

TOWN OF LANCASTER:

This is to certify that I, ROBERT P. THILL, Town Clerk and Registrar of Vital Statistics of the Town of Lancaster in said County of Erie, have compared the foregoing copy of a REZONE with the original thereof filed in my office at Lancaster, New York, on the 16th day of December, 1985, and that the same is a true and correct copy of said original, and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Town this 16th day of December, 1985.

own Clerk and Registrar of

Vital Statistics

SEAL

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

WHEREAS, by letter dated December 11, 1985, the Dog Control
Officer, has requested a transfer of funds in the 1985 General Fund Budget,

NOW, THEREFORE, BE IT

RESOLVED, that the following budget transfers be and are hereby authorized to the 1985 General Fund Budget:

GENERAL FUND	ACCT. NO.	INCREASE	DECREASE
D.C.O Personal Services D.C.O Contractual	A3510.1		\$ 4000.00
Expenses	A3510.4	\$ 4000.00	
and,			

WHEREAS, by letter dated December 11, 1985, the Highway
Superintendent of the Town of Lancaster, has requested a transfer of funds in
the 1985 General Fund and Highway Fund Budgets,

NOW, THEREFORE, BE IT

RESOLVED, that the following budget transfers be and are hereby authorized to the 1985 General Fund and Highway Fund Budgets:

GENERAL FUND	ACCT. NO.	INCREASE	DECREASE
Transportation - Education Superintendent Transportation - Office	A5010.412		\$ 175.00
Supplies	A5010.401	\$ 175.00	
HIGHWAY FUND			
General Repairs -			
Resurfacing Material	DB5110.433		\$ 250.00
General Repairs - Uniforms/ Shoes	DB5110.442	\$ 250.00	

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 16, 1985

File: R-ACCT-TRNS Page 1

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN MILLER , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

ACCOUNT	ORDER NUMBER	TOTAL AMOUNT
General Fund	No. 9279 to 9350 incl. No. 24 to 52 incl.	\$104,031.24
Part Town Fund	No. 1385 to 1395 Incl.	\$ 3,656.54
Highway Fund	No. 39 to 74 Incl.	37,542.90
Special District Fund	No. 869 to 874 Incl.	\$ 18,696.39
Trust & Agency Fund	No. 1093 to 1099 Incl. No. 1 to 7 Inc.	\$ 38,948.55
Captial Fund	No. 765 to 766 Incl.	\$ 2,033.00
Community Development Fund	No. 1241 to 1243 Incl.	\$ 5,223.85
and,		

BE IT FURTHER

RESOLVED, that the claim of Call and Post for \$131.95, be and is hereby approved and the Supervisor be and is hereby ordered to submit this claim for payment from Community Development Project No. 439311 (83-84) Glendale/Parkdale Sidewalks, and

BE IT FURTHER

RESOLVED, that the claims of Call and Post for \$218.40 and Gianadda Construction Corp. for \$4,873.50, be and are hereby approved and the Supervisor be and is hereby ordered to submit these claims for payment from Community Development Project No. 100084, Barrier Removal, Town Buildings.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 16, 1985

FILE: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

NO.	NAME	ADDRESS	STRUCTURE
255	Wymar Bldrs.	200 Penora St.	ER. FR. SIN. DWLG
256	Wymar Bidrs.	219 Penora St.	ER. FR. SIN. DWLG
257	Pat-Eddy Const.	199 Penora St.	ER. FR. SIN. DWLG
258	Ferry Bldrs.	5232 William St.	ER. FR. SIN. DWLG, PVT. GARAGE
259	Ferry Bldrs.	25 Brunck Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
260	Pat-Eddy Const.	203 Penora St.	ER. FR. SIN. DWLG
261	M.J. Peterson Co.	9 Bradley Dr.	ER. FR. SIN. DWLG, PVT. GARAGE

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN	CZAPLA	VOTED	YES
COUNCILMAN	GIZA	VOTED	YES
COUNCILMAN	KWAK	VOTED	YES
COUNCILMAN	MILLER	VOTED	YES
SUPERV I SOR	KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

December 16, 1985

FILE: R-BUILDING

Page 600

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN KWAK , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric and Gas Corporation has submitted a proposal, dated December 16, 1985, for improvement of street lighting on Central Avenue, within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the said Lighting Committee, after investigation, review and consideration has recommended the said installation,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and is hereby authorized to make the following installations:

CENTRAL AVENUE

Install 1 - 5200 lumen HPS lamp € \$86.64 ea.
(P-82, L-201)

Install 1 - 20 ft. bracket € \$20.21 ea.

TOTAL ANNUAL INCREASE \$106.85

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 16, 1985

File: R-LGHTNG

Page 601

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN KWAK , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Supervisor the Town of Lancaster has requested authorization for attending a Steering Committee meeting of the New York Association Lobby for Towns (NYSALT) that was held in Albany on December 10, 1985.

NOW, THEREFORE, BE IT

RESOLVED, that expense reimbursement for ordinary and necessary expenses incurred in attending this meeting be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 16, 1985

File: R-SEM-MTGS

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR KEYSA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Supervisor has requested a Special Meeting of the Town Board be held at 4:00 o'clock P.M., Monday, December 30, 1985, at the Town Hall of the Town of Lancaster, for the purpose of conducting year-end business of the Town of Lancaster and for such other and further business as may normally come before the Town Board at a regular meeting thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby sets a Special Meeting of the Town Board of the Town of Lancaster at 4:00 o'clock P.M., Monday, December 30, 1985, at the Town Hall of the Town of Lancaster, for the purpose of conducting year-end business of the Town of Lancaster and for such other and further business as may normally come before the Town Board at a regular meeting hereof, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to give notice in accordance with the Open Meetings Law of the State of New York, to the media.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 16, 1985

FILE: R-MEDIA-MTG

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN MILLER , TO WIT:

WHEREAS, the Town Board has directed the Building Department to obtain quotes from engineering firms for an energy management study on the Police, Court and Recreation Buildings at the Town Center on Pavement Road, and

WHEREAS, two engineering firms have submitted quotes for the above proposed study, and

WHEREAS, Babinsky Engineers have submitted the lower of the two quotes to do the energy management study, and

WHEREAS, the Town Board deems it in the public interest to cause an energy management study at the above mentioned buildings for the purpose of seeking changes to save utility costs in the future;

NOW, THEREFORE, be it resolved that the Supervisor of the Town of Lancaster be and is hereby authorized to enter into a contract with Babinsky Engineers in the sum of \$1,800.00 to provide an energy management study at the Police, Court and Recreation Buildings at the Town Center on Pavement Road.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 16, 1985

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Country View East Subdivision.
Phase I (Marrano/Marc Equity).
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1986.

Public Improvement Permit Authorization - Country View East Subdivision. Phase II (Marrano/Marc Equity).
On August 19, 1985, the Town Board approved Public Improvement Permit Nos. 81 (water line), 82 (pavement and curbs), 83 (storm sewer) 84 (street lighting) and 85 (sidewalks). On December 2, 1985, Public Improvement Permit Nos. 81, 82, and 83 were accepted by the Town Board.

- 3. Public Improvement Permit Authorization Heritage Hills Subdivision The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
- 4. Public improvement Permit Authorization Lancaster Industrial Commerce Center
 The Town Board authorized Issuance of P.I.P. No. 79 (water main) and No. 80, (retention basin) on June 6, 1983.
- 5. Traffic Study Reconstruction, Genesee Street and Ransom Road On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
- 6. Traffic Study Signal, Bowen Road and William Street
 On October 19, 1984, the County Deputy Highway Commissioner informed the
 Board that visability restrictions have been removed at this intersection
 and that the present traffic control flasher was found to be adequate.
- 7. Traffic Study Speed Reduction, Pavement Road, Broadway North to Walden Avenue
 On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.
- 8. Traffic Study Speed Reduction, Ransom Road, Broadway North to Genesee Street
 On August 19, 1985, this matter was referred to the Police Chief for investigation and recommendation.

889.	D.C.O. to Town Board - Request reappointment to position of D.C.O.	ORGANIZATIONAL MEETING
890.	Cheektowaga Town Clerk to Town Clerk - Notice of two public hearings to be held on 12/2/85 regarding a rezone and special use permit for 6704 Transit Rd.	R/F
891.	Recreation Commission to Town Board - Minutes from meeting held 10/17/85.	R/F
892.	Town Justices to Town Board - Request appointment of Alice Filipowicz to full-time court clerk position due to resignation of Justine Rybak and appointment of Barbara Bart to part-time clerk effective 1/1/86.	R/F
893.	Town Attorney to Town Board - Transmittal of communication sent to Highway Supt. re: preliminary field test; warm air furnace.	ORGANIZATIONAL MEETING
894.	Presidential Recognition Awards Committee to Lancaster Meals on Wheels Steering Committee - Notification of selection to receive 1985 Presidential Recognition Award.	R/F
895.	Buildings Dept. Foreman to Supervisor - Request using Buildings Dept. Budget surplus for energy management systems feasibility study of Police and Court Buildings.	R/F
896.	Town Attorney to Town Board - Comments regarding Lancaster Sanitary Land Fill, Inc.	R/F
897.	Supervisor to Town Board, Town Attorney and Building Inspector - Information regarding Ferry's application to DEC for construction of demolition debris disposal site at 403 Pavement Rd.	R/F
898.	N.Y.S. Dept. of Environmental Conservation to Supervisor - Notification of application made by Pine Hill Concrete for three-year Mining Permit.	R/F
899.	Town Engineers to John R. Schuler, Inc Notification that acceptance of Contract LT-2 project be originated by N.Y.S. Dept. of Environmental Conservation.	R/F
900.	Town Engineers to John R. Schuler, Inc Notification that Ronald Folkman complaint be resolved before processing of close-out documentation for Contract LT-2.	SEWER COMMITTEE
901.	Off. of Revenue Sharing to Supervisor – Instructions regarding State of Assurances Certification Form EP 17.	R/F
902.	The PROPHIT, Newsletter of the Industrial Forum of Eastern Erie County -	R/F
903.	Planning Board to Town Board - Minutes from meeting held 11/20/85.	R/F

COMMUNICATIONS CONT'D .:

904.	County Legislature to Town Clerk - Transmittal of resolution requesting local municipality input concerning County Solid Waste Management Assistance Program.	Solid Waste
905.	Recreation Commission to Town Board - Minutes from meeting held 11/16/85.	R/F
906.	Police Chief to Town Clerk - Denial of approval of AJ's Auto Wrecking license for 1986.	R/F
907.	Town Attorney to Lancaster Reclamation Co Advisement concerning permit for construction of debris disposal site.	R/F
908.	Town Clerk to Town Board - Notification of submittal of 1986 excavating permit applications of Pine Hill, Buffalo Crushed Stone and Lancaster Stone.	R/F
909.	Highway Supt. to Town Board - Request all bids for solid waste materials disposal be thrown out.	R/F
910.	Asst. Building Inspector to Town Board - Monthly report for November 1985.	R/F
911.	Town Attorney to County Attorney - Request executed copy of agreement for conversion of heating and lighting for Lancaster Public Library.	T/A FOR FOLLOW-UP
912.	Highway Supt. to Town Board - (Duplicate) Request all bids for solid waste materials disposal be thrown out.	R/F
913.	Lawley Service to Town Clerk - Request information regarding renewal quotations for Umbrella coverage for 1986.	R/F
914.	Lancaster Village Mayor to Town Board, Receiver of Taxes, Justice Kelleher and Highway Supt. – Congratulations on re-election.	R/F
915.	Planning Board to Supervisor - Request joint meeting with Town Board on 12/4/85 to discuss SEQR for Cassilio property.	R/F
916.	Cimato Bros. to Supervisor - Transmittal of report of water samples taken at Country View Estates.	ENG INEER
917.	Div. of Construction Grants to County Dept. of Environment and Planning - Notice of acceptance of Contract LT-2 sewer rehab. work.	ENG INEER
918.	MaryAnn Costanza to Town Board - Acknowledgement of commendation resolution.	R/F
919.	LVAC to Supervisor - Request pertaining to funding.	R/F
920.	Crum & Forster to Supervisor - Notice of Cancellation re: Errors and Omissions Insurance.	R/F

921.	State Bureau of Justice Court Funds to Supervisor -	R/F
	Quarterly report for period ending 9/30/85.	
922.	County Div. of Highways to Supervisor - Notification that study of Central Ave./ Harris Hill Rd. problems will be undertaken.	CHIEF SCHROECK, BVFD
923.	NYSALT to Supervisor - Acknowledgement of membership.	R/F
924.	County Dept. of Environment and Planning to State Dept. of Environmental Conservation - Review and comments regarding Lancaster Reclamation's application for C & D site.	TOWN ATTORNEY BUILDING INSPECTOR
925.	Supervisor to BC/BS - Advisement pertaining to additional coverage.	R/F
926.	Police Chief to Supervisor - Confirmation of requested action on salaries, benefits and budget line transfers.	SUPERVISOR
927.	Bowmansville Fire Inspector to Supervisor - Response to article concerning possible Town elimination of fire inspectors.	R/F
928.	<pre>D.C.O. to Town Board - List of people not recommended for re-appointment as Ass't D.C.O.'s.</pre>	ORGANIZATIONAL MEETING
929.	<pre>D.C.O. to Town Board - Recommendation of two people for re-appoint- ment as Ass't. D.C.O.'s.</pre>	ORGANIZATIONAL MEETING
930.	D.C.O. to Town Board - Monthly report for November 1985.	R/F
931.	LVAC Pres. to Town Board - Request abolishment of Ambulance Advisory Service Board.	R/F
932.	Town Attorney to Town Board - Transmittal of reply from County Attorney re: Lancaster Library Energy Conversion Contract.	T/A FOR FOLLOW-UP
933.	Town Clerk to Supervisor - Monthly report for November 1985.	R/F
934.	Town Clerk to Town Board and Town Attorney - Transmittal of draft of organizational resolutions.	R/F
935.	LVAC to Supervisor - Request for proper maintenance of parking lot.	R/F
936.	BC/BS to Supervisor - Notification of proposed rate changes effective 1/1/86.	R/F
937.	Belmont Shelter Corp. to Supervisor - Congratulations on re-election.	R/F
938.	Lackawanna Dept. of Development to Supervisor - Comments pertaining to HUD funding.	R/F

COMMUNICATIONS CONT'D.:

939.	Fox & Co. to Supervisor - Letter offer for services.	ORGANIZATIONAL MEETING
940.	Supervisor to Lancaster Village Mayor - Appreciation for assistance in providing safe access to LVAC squad room and garage.	R/F
941.	NYSDOT to Supervisor - Directives concerning Cemetery Rd., Grade Separation at Conrail Project.	R/F
942.	Gerald and Timothy McGowan to Town Clerk - Application for liquor license for 5389 Genesee St.	R/F
943.	County CD Program Dir. to Supervisor - Transmittal of County Grantee Performance Report for 1984-85.	R/F
944.	County Div. of Highways to Town Board - Transmittal of signed permit for parking and standing prohibitions for Como Park Blvd.	CHIEF FOWLER HIGHWAY SUPERINTENDENT
945.	County Div. of Highways to Town Board - Transmittal of signed permit for speed restriction on Como Park Blvd.	CHIEF FOWLER HIGHWAY SUPERINTENDENT
946.	N.Y.S. Board of Equalization and Assessment to Supervisor - Notice of County Equalization Rates for Assessment Rolls Completed in 1985.	TOWN ATTORNEY ASSESSOR
947.	Thill-Demerly Agency to Lawley Services Inc Reply relative to Town's Umbrella Liability insurance renewal.	INSURANCE
948.	Town Attorney to Town Board - Comments pertaining to establishment of LVAC-Explorer Post.	TOWN ATTORNEY INSURANCE
949.	Town Attorney to County Highway Dept Advisement concerning dumping of excavated materials.	R/F
950.	Town Attorney to NYSDOT - Advisement concerning dumping of excavated materials.	R/F
951.	Town Attorney to DiFilippo, Davison, Bennett & Daumen - Request status of Article 7 proceeding involving Dresser Industries and J.C. Penney Co., Inc.	R/F
952.	Dep. Town Clerk to Town Board - Transmittal of dumping permit application submitted by Helen Fahey.	BUILDING INSPECTOR PLANNING BOARD
953.	N.Y.S. Dept. of Commerce to Supervisor - Transmittal of criteria for 1985 Regional Economic Development Program.	SUPERVISOR
954.	Association of Towns to Supervisor - Request for support regarding tort reform affecting towns.	K/F
955.	Solid Waste Committee Chair. to Town Board and Highway Supt Information regarding trash disposal sites.	R/F

956.	ENCRPB and ECDEP to Supervisor - NYSDEC population projections.	R/F
957.	Town Line Fire Dept. Hazmat to Supervisor - Request purchase of computer.	CHIEF FOWLER
958.	Town Line Fire Dept. Hazmat to Supervisor - Request permission to have LVAC and Lancaster Town Command Post respond to all Hazmat incidents and drills involving teams.	PUBLIC SAFETY MUNICIPAL LIAISON
959.	County Dept. of Environment and Planning to Supervisor - Transmittal of Negative Declaration regarding sewer project.	TOWN ATTORNEY FOR REPLY
960.	N.Y.S. Commission on Cable Television to Supervisor - Notice of Proposed Rulemaking, "Notice Requirements for Changes in Rates and Charges."	CABLE TV
961.	N.E. Communities Solid Waste Mgt. Board to Supervisor - Notice of meeting to be held 12/12/85 at Niagara Falls, N.Y.	R/F
962.	Liberty Norstar Bank to Town Board - Request designation as depository.	ORGANIZATIONAL MEETING
963.	D.C.O. to Supervisor - Request transfer of funds.	R/F
964.	County Div. of Highways to Supervisor - Notification of completion of remedial work in area of 534 and 538 Aurora St.	VIRGIL PAUL STANLEY NOWAKOWSKO ON AURORA STREET
965.	ENCRPB and ECDEP to Data Centers to Supervisor - Transmittal of 1984 Revenue Sharing/ Population and Per Capita Income Estimates.	BUILDING INSPECTOR
966.	Planning Board to Town Board - Minutes from meeting held 12/2/85.	R/F
967.	Highway Supt. to Town Board - Request transfer of funds.	R/F
968.	Highway Supt. to Supervisor - Comments pertaining to James Polen's sick leave status.	R/F
969.	County Dept. of Environment and Planning to Town of Clarence Supervisor – Confirmation of WSGS report meeting to be held 12/19/85 at Town Hall.	BUILDING INSPECTOR
970.	Moog Electroncis, Inc. to Supervisor - Comments and transmittal of sample ordinances regarding satellite antenna systems.	TOWN ATTORNEY PLANNING BOARD
971.	N.Y.S. Dept. of Labor, Engineering Services Unit to Supervisor – Comments and transmittal of Variance Summary re: Town Hall.	TED MALONE SHEEGRAN
972.	Buildings Dept. Foreman to Supervisor - Recommendation of energy study contract to Babinsky Engineers for Police/Court Building.	TOWN CLERK FOR SUSPENSION RESOLUTION
973.	Fox & Co. to Supervisor - Comments pertaining to income to employees using Town-provided vehicles	SUPERVISOR

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:50 P.M. out of respect to:

ANGELO GRECO N ALBERT LUDERMAN (73.17)

Signed